

REMARKS

Claims Rejections

1. Claims Rejections - 35 U.S.C. §102(b) – Claims 1-3, 5-6, 9-11, 13-14, 27, and 33

Claims 1-3, 5-6, 9-11, 13-14, 27, and 33 are pending in the present application and were rejected in the final Office Action dated March 27, 2003 under 35 U.S.C. § 102(b) as being anticipated by Koope. Applicant respectfully traverses this rejection. However, in an effort to provide clarification, independent claims 1-3, 9-11, 27, and 33 have been amended. Claims 5-6 depend from independent claim 1, and claims 13-14 depend from independent claim 9. For brevity, only the basis for the rejection of independent claims 1-3, 9-11, 27, and 33 are traversed in detail on the understanding that dependent claims 5-6 and 13-14 are also patentably distinct over the prior art as they depend directly from claims 1 or 9, respectively. Nevertheless, dependent claims 5-6 and 13-14 include additional features that, in combination with those of claims 1 or 9, provide further, separate, and independent bases for patentability.

The Examiner has stated that Koope teaches a box (2) comprising: a substantially non-rectangular hollow interior; a door (45) having a display panel (47); and a hinge (46) operatively attaching the door to the housing; the door further comprising a lip at least partially circumscribing the door. However, the Koope patent does not teach or suggest a top box for a gaming machine that includes “wiring located at least partially within the top box, wherein the wiring operatively connects top box components to a gaming machine on which the top box is positioned” as required by amended claims 1-3, 5-6, 9-11, 13-14, 27, and 33 of the present application. Support for this amendment can be found at Page 3, lines 3-9, and in Figure 2. Accordingly, Applicant respectfully submits that the 35 U.S.C. §102(b) rejection of claims 1-3, 5-6, 9-11, 13-14, 27, and 33 has been overcome.

Furthermore, although “boxes” as disclosed in the cabinetry arts (such as the Koope reference) have utilized doors, the conventional wisdom in the gaming industry has been to produce top boxes without doors or other openings. Instead, top boxes were secure modular components. As explained in the present application: “Top boxes are generally designed without

openings or doors because they have to be both water resistant, to prevent liquids from damaging internal components, and secure, so that unauthorized persons are not able to tamper with the interior of the gaming machine.” Pg. 1, lines 6-10. Thus, Applicant submits that non-gaming industry “boxes,” such as those disclosed in Koope and Nunn, are non-analogous art to the gaming machine top box of the claimed invention.

Moreover, traditional top box configurations resulted in some unresolved issues in the gaming industry, as further explained in the present application:

[T]op boxes typically include colorful front panels made of glass that are backlit in order to attract attention to the gaming machine. Consequently, to service the inside of most top boxes, e.g., to fix a light bulb or to access the circuitry located therein, the entire glass panel must be removed from the top box. This process is very cumbersome and the glass panel usually ends up being broken.

Pg. 1, lines 11-19.

Clearly, the claimed invention of the present application solves this problem in the gaming machine top box market. By being able to access the interior of the top box without the need to remove the glass panel, breakage of such glass panel is greatly reduced. Further, by using a door that is substantially non-rectangular, different shapes of glass may be used. This is desirable for increased gaming machine design and functionality options. Accordingly, the claimed invention resolves a significant and costly issue in the gaming industry.

2. Claims Rejections - 35 U.S.C. §102(b) – Claims 9-11, 13-19, 21-24, and 34

Claims 9-11, 13-19, 21-24, and 34 are pending in the present application and were rejected in the Office Action dated March 27, 2003, under 35 U.S.C. § 102(b) as being anticipated by Nunn. Applicant respectfully traverses this rejection. However, in an effort to provide clarification, independent claims 9-11, 17-19, and 34 have been amended. Claims 13-16 depend from independent claim 9, and claims 21-24 depend from independent claim 17. For brevity, only the basis for the rejection of independent claims 9-11, 17-19, and 34 are traversed in detail on the understanding that dependent claims 13-16 and 21-24 are also patentably distinct

over the prior art as they depend directly from claims 9 or 17, respectively. Nevertheless, dependent claims 13-16 and 21-24 include additional features that, in combination with those of claims 9 or 17, provide further, separate, and independent bases for patentability.

The Examiner has stated that Nunn teaches a box (10) comprising: a housing having a substantially hollow interior; a door (16) having a display panel (28); and a hinge (15) operatively attaching the door to a side portion of the housing; the door further comprising a lip at least partially circumscribing the door, and a lock for securing the box. However, the Nunn patent does not teach or suggest a top box for a gaming machine that includes “wiring located at least partially within the top box, wherein the wiring operatively connects top box components to a gaming machine on which the top box is positioned” as required by amended claims 9-11, 13-19, 21-24, and 34 of the present application. Support for this amendment can be found at Page 3, lines 3-9, and in Figure 2. Accordingly, Applicant respectfully submits that the 35 U.S.C. §102(b) rejection of claims 9-11, 13-19, 21-24, and 34 has been overcome.

3. Claims Rejections - 35 U.S.C. § 103(a) – Claims 7-8 and 15-16

Claims 7-8 and 15-16 are pending in the present application and were rejected in the Office Action dated March 27, 2003, under 35 U.S.C. § 103(a) over Koope in view of Nunn. Applicant respectfully traverses this rejection. However, in an effort to provide clarification, independent claims 1 and 9 have been amended. Claims 7-8 depend from independent claim 1, and claims 15-16 depend from independent claim 9. For brevity, only the basis for the rejection of independent claims 1 and 9 are traversed in detail on the understanding that dependent claims 7-8 and 15-16 are also patentably distinct over the prior art as they depend directly from claims 1 or 9, respectively. Nevertheless, dependent claims 7-8 and 15-16 include additional features that, in combination with those of claims 1 or 9, provide further, separate, and independent bases for patentability.

The Examiner has stated that Koope teaches the Applicant's claimed invention, but does not show the box having a lock. Additionally, the Examiner states that Nunn teaches a box having a lock. However, as explained above, neither the Koope patent nor the Nunn patent,

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either alone or in combination, teach or suggest a top box for a gaming machine that includes “wiring located at least partially within the top box, wherein the wiring operatively connects top box components to a gaming machine on which the top box is positioned” as required by amended claims 7-8 and 15-16 of the present application. Support for this amendment can be found at Page 3, lines 3-9, and in Figure 2. Accordingly, Applicant respectfully submits that the 35 U.S.C. §103(a) rejection of claims 7-8 and 15-16 has been overcome.

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CONCLUSION

Applicant has made an earnest and bona fide effort to clarify the issues before the Examiner and to place this case in condition for allowance. In view of the foregoing discussions, it is clear that the differences between the claimed invention and the prior art are such that the claimed invention is patentably distinct over the prior art. Therefore, reconsideration and allowance of all of Applicant's claims 1-9, 12-18, 20-21, and 23-31 is believed to be in order, and an early Notice of Allowance to this effect is respectfully requested. If the Examiner should have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 712-8319. The undersigned attorney can normally be reached Monday through Friday from about 9:30 AM to 6:30 PM Pacific Time.

Respectfully submitted,

Dated: _____

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Brooke W. Quist

BROOKE W. QUIST
Reg. No. 45,030
BROWN RAYSMAN MILLSTEIN FELDER
& STEINER LLP
1880 Century Park East, Suite 711
Los Angeles, California 90067
(310) 712-8300

BWQ:elm